

SUSMAN GODFREY L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
SUITE 3000
401 UNION STREET
SEATTLE, WASHINGTON 98101-3000
(206) 516-3880
FAX (206) 516-3883
WWW.SUSMANGODFREY.COM

SUITE 5100
1000 LOUISIANA STREET
HOUSTON, TEXAS 77002-5096
(713) 651-9366

SUITE 1400
1900 AVENUE OF THE STARS
LOS ANGELES, CALIFORNIA 90067-6029
(310) 789-3100

32ND FLOOR
1301 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10019-6023
(212) 336-8330

ALEX AIKEN
DIRECT DIAL (206) 505-3813

E-MAIL AAIKEN@SUSMANGODFREY.COM

January 19, 2024

Via ECF

Hon. Sarah L. Cave
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

By **February 2, 2024**, the parties shall file a joint status letter reporting on the status of the mediation.

SO ORDERED. 1/19/2024


SARAH L. CAVE
United States Magistrate Judge

Re: *Bernstein, et al. v. Cengage Learning, Inc.*, Case No. 1:19-cv-07541-ALC-SLC

Dear Magistrate Judge Cave:

Pursuant to the Court's December 19, 2023 Order ordering the parties to "file a joint letter reporting on the status of mediation," Dkt. No. 290, the parties write to notify the Court that they have continued to mediate with the assistance of The Hon. Suzanne H. Segal (Ret.) of Signature Resolution over the last month. While no agreement has been reached, the parties have made progress since the last status report to the Court and are continuing their settlement efforts, under the supervision of the mediator. Given the status of settlement discussions, either the parties will file a notice of settlement with the Court by February 2, 2024, or Plaintiffs will file a motion for approval of the form and manner of class notice by February 9, 2024. The agreements of Paragraphs 3 and 4 of the November 13, 2023 Stipulation and Order (Dkt. No. 288) remain in effect.

Respectfully submitted,



Alexander W. Aiken

Cc: All counsel or record